

Senate Study Bill 1189 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
ENVIRONMENT BILL BY
CHAIRPERSON DEARDEN)

A BILL FOR

1 An Act relating to the control of disease in wildlife and
2 including penalty provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 481A.41 Control of disease in
2 wildlife — penalty.

3 1. If the commission finds that action is necessary to
4 prevent or control the spread of disease in wildlife or in a
5 particular species of wildlife in this state, the commission
6 may, pursuant to rules adopted under chapter 17A, do any of the
7 following:

8 *a.* Limit, close, expand, or open seasons for taking wildlife
9 or a particular species of wildlife.

10 *b.* Limit, close, expand, or open areas of the state for
11 hunting wildlife or a particular species of wildlife.

12 *c.* Reduce or increase limits on taking wildlife or a
13 particular species of wildlife in specified areas of the state.

14 *d.* Establish disease management zones in the state.

15 *e.* Authorize the issuance of free hunting licenses for
16 taking wildlife or a particular species of wildlife.

17 *f.* Allow hunting with a firearm from a motor vehicle
18 of wildlife or a particular species of wildlife by persons
19 designated to hunt in this manner by the department. If such
20 hunting is allowed, the department shall develop, by rule, a
21 wildlife disease prevention and control program and maintain a
22 list of persons who are designated to hunt with a firearm from
23 a motor vehicle for purposes of the program.

24 *g.* Require a hunter to provide a physical sample obtained
25 from each animal of a particular species of wildlife that
26 is taken by a hunter, for the purpose of conducting a
27 disease-related test.

28 *h.* Limit the possession, transportation, and disposition of
29 wildlife or a particular species of wildlife.

30 *i.* Restrict feeding of wildlife or a particular species of
31 wildlife.

32 2. *a.* A person who violates any provision of a rule adopted
33 pursuant to this section is guilty of a simple misdemeanor
34 punishable as a scheduled violation under section 805.8B,
35 subsection 3, paragraph "e".

b. In addition to any other penalties imposed under this section, a person charged with a violation of a rule adopted pursuant to subsection 1, paragraph "i", restricting the feeding of wildlife or a particular species of wildlife shall immediately remove all feed that is in violation of the restriction. Failure to do so shall constitute an additional violation of this section for each day that the feed remains.

8 Sec. 2. Section 805.8B, subsection 3, paragraph e, Code
9 2015, is amended to read as follows:

10 e. For violations of sections 481A.41, 481A.57, 481A.85,
11 481A.93, 481A.95, 481A.120, 481A.137, 481B.5, 482.3, 482.9,
12 482.15, and 483A.42, the scheduled fine is one hundred dollars.

EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill relates to the control of disease in wildlife. The
17 bill provides that if the natural resource commission finds
18 that action is necessary to prevent or control the spread of
19 disease in wildlife or in a particular species of wildlife, the
20 commission may adopt rules that change hunting seasons, areas,
21 and limits; establish disease management zones; authorize the
22 issuance of free licenses; allow hunting with a firearm from
23 a motor vehicle by designated persons; require hunters to
24 provide physical samples from harvested wildlife for disease
25 testing; limit the possession, transportation, and disposition
26 of wildlife; and restrict wildlife feeding.

27 A violation of a rule adopted pursuant to the bill is a
28 simple misdemeanor punishable as a scheduled violation with
29 a fine of \$100. A person who violates a wildlife feeding
30 restriction must also immediately remove all food that is
31 in violation of the restriction and failure to do so is an
32 additional violation for each day that the feed remains.